

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

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UNITED STATES OF AMERICA,

Plaintiff,

v.

AT&T CORPORATION and  
TELE-COMMUNICATIONS, INC.,

Defendants.

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) No. 1:98CV03170  
) Judge Emmet G. Sullivan  
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**NOTICE OF THE PROPOSED TERMINATION  
OF THE FINAL JUDGMENT ENTERED AGAINST AT&T CORPORATION  
AND TELE-COMMUNICATIONS, INC. ON AUGUST 23, 1999**

**PLEASE TAKE NOTICE** that the United States, and both Liberty Media Corporation (“Liberty”), and AT&T Corporation (“AT&T,” the successor in interest to Tele-Communications, Inc.) the Defendant in the Final Judgment entered by the Court on August 23, 1999 in the matter of United States v. AT&T Corporation and Tele-Communications, Inc., No. 1:98CV03170 (D.D.C.), have filed a Stipulation with the Court providing for the termination of the Final Judgment in this matter. At the same time, the parties filed a motion with the Court to establish procedures for terminating the Final Judgment. The United States has provisionally consented to the termination of the Final Judgment, pending its review of all public comments on the proposed

termination.

The United States filed a complaint in this case alleging that the merger between AT&T and Tele-Communications, Inc., which would result in the indirect acquisition by AT&T of 23.5% of the shares of Sprint PCS, a competitor of AT&T in the mobile wireless telephone business, would violate Section 7 of the Clayton Act, as amended, 15 U.S.C. § 18. The Final Judgment ordered the divestiture of the Sprint PCS interest by a trustee over a five-year period and includes various provisions to ensure that AT&T's indirect partial ownership of Sprint PCS would not create anticompetitive incentives. These provisions, among others, required that all economic benefits of Liberty's Sprint PCS holdings must inure exclusively to the holders of the Liberty Media Group tracking stock, forbade AT&T from transferring any of these benefits to AT&T shareholders, required certain amendments to the Liberty certificate of incorporation and bylaws, and imposed certain restrictions on Liberty's Board of Directors. Liberty also was restricted in its ability to acquire any interest in AT&T's wireless business.

The parties have filed with the Court a memorandum setting forth the reasons why it believes that termination of the Final Judgment would serve the public interest. Copies of the Stipulation containing the United States' provisional consent to terminate the Final Judgment, the United States' memorandum, and all additional papers filed with the Court in connection with the proposed modification are available for inspection at the Antitrust Documents Group of the Antitrust Division, U.S. Department of Justice, 325 7<sup>th</sup> Street N.W., Room 215 North, Liberty Place Building, Washington, D.C. 20530, and at the Office of the Clerk of the United States District Court for the District of Columbia, 333 Constitution Avenue, N.W., Washington, D.C. 20001. Copies of these materials may be obtained from the Antitrust Division upon request and

payment of the copying fee set by Department of Justice regulations.

Interested persons may submit comments regarding the proposed termination of the Final Judgment to the United States. Such comments must be received by the Antitrust Division within sixty (60) days of the completion of publication of this notice and similar notice published in the *Federal Register* and will be filed with the Court by the United States. Comments should be addressed to Nancy M. Goodman, Chief, Telecommunications and Media Enforcement Section, Antitrust Division, U.S. Department of Justice, 1401 H. St., N.W., Suite 8000, Washington, D.C. 20530 (telephone: 202-514-5621). Comments may also be sent via electronic mail to [TEL.COMMENTS@USDOJ.GOV](mailto:TEL.COMMENTS@USDOJ.GOV) or faxed to the attention of Peter Gray at 202-514-6381.